

Judicial Branch News

May/June 2006



New Judge Appointed

Robert "Dusty" Deschamps III, a former Missoula County attorney, was appointed to the vacant judge position in the 4th Judicial District.

Governor Brian Schweitzer appointed Deschamps to fill the judicial seat vacated by Judge John Henson, who retired earlier this year.

"I am confident in Dusty's ability to serve the people of Missoula and the great state of Montana," said Governor Brian Schweitzer. "He has extensive experience in state and local courts and is an outstanding individual."

Deschamps is currently Special Deputy County Attorney for six counties (Custer, Yellowstone, Toole, Missoula, Lewis and Clark and Lake) and Special Assistant City

Attorney for the City of Hamilton. Additionally he serves as a tribal prosecutor for the Confederated Salish and Kootenai Tribes.

Deschamps is admitted to the Montana Supreme Court, United States District Court for Montana, United States Supreme Court, United States Ninth Circuit Court of Appeals and the Tribal Court for Confederated Salish and Kootenai Tribes. He graduated from Missoula County High School and received both his bachelor's and juris doctorate from the University of Montana.

Deschamps will face Deputy County Attorney Karen Townsend in the November general election.

Fiscal Year End Reminders

With fiscal year 2006 coming to an end June 30, 2006, please make special note of the following critical timeline. Thank you for your assistance with meeting these important deadlines. If you have questions on fiscal year end or other financial processes, please call Becky Buska at (406) 444-2698 or email bbuska@mt.gov.

DEADLINES

June 12 – July 6 Mail approved invoices **daily** to Financial Services

June 21 Pro-Card cutoff date for cycle 5/23/06 – 6/21/06

June 26 – June 30 Please do not use Pro-Cards. If absolutely necessary, call Aimee Floerchinger for **prior authorization**

June 30 Pro-Card cutoff date for cycle 6/22/06 – 6/30/06

June 30 End of fiscal year 2006

July 5 All June travel expense vouchers must be submitted to Financial Services

July 6 Deadline for vendors to submit all bills to District Court

July 10 – July 20 Fax approved invoices (**for FY06 items only**) to (406) 444-0834 and mail invoices same day to Financial Services

July 10 Fax list of any expenses owed that you have not received an invoice for to Financial Services (406) 444-0834

July 12 Deadline for county reimbursement requests to be submitted for payment to OCA

July 12 Last day to pay FY06 obligations

Earmark Grant Funds Drug Courts

The Court Assessment Program, Supreme Court Administrator's Office, received a 2006 Congressional Earmark grant of \$266,552 to help sustain the family drug courts in Billings, Butte and Miles City, and the juvenile drug court in Missoula. The grant is administered through the Office of Juvenile Justice and Delinquency Prevention, US Department of Justice.

The earmark will be used to help fund coordinator positions and operating expenses in the courts. Funding for these courts has been dependent on federal grants through SAMHSA (Substance Abuse and Mental Health Services Agency), previous earmark awards, and community and private foundation donations. The grant budget period is July 1, 2006 through December 31, 2007.

The drug courts were established in each of the four judicial districts by a district court judge to more effectively work with parents whose children have been removed by Child and Family Services due to abuse or neglect secondary to substance abuse issues, or to work with juveniles who were adjudicated as youth in need of supervision due to criminal behaviors secondary to substance abuse issues.

effectively promoting the safety, health and permanency of children whose parents are involved in family drug court, on reducing the delinquency and substance abuse among juveniles involved in youth drug court, and also on decreasing the recidivism of substance abuse and/or criminal behaviors in both adults and youth.

Through the retention of the drug court coordinators and maintaining the operation of the drug courts, the ongoing success of the drug courts will continue to be evaluated on

Public Access Rules Posted for Comment



Draft public access rules are now posted for comment on the Supreme Court website. The draft rules provide a comprehensive guide to electronic access to court information. Comments are due August 23, 2006 by 5 p.m. The draft rules are available at: [Public Access Draft Rules](#)

Public Defender Open For Business

The State Office of the Public Defender will assume responsibility for indigent defense services starting July 1, 2006. The vast majority of indigent defense charges that currently flow through the Judicial Branch will shift to the OPD. This will result in some changes for District Courts and Courts of Limited Jurisdiction. Highlights of these changes include:

- The Office of the Court Administrator will not pay any costs for indigent defense incurred after June 30, 2006. If you receive bills for indigent services, you can direct them to the OPD regional office in your area.
- The Judicial Branch is still responsible for some costs related to the prosecution of certain cases. New policies regarding the remaining costs were sent to judges and staff in May. If you are responsible for processing bills, please review these so you understand what costs remain with the Judicial Branch.
- Specifically, psychiatric evaluations that are ordered for a criminal defendant are charged to the party that requested the evaluation (with the Judicial Branch retaining responsibility for prosecutor costs) or are split if the evaluation was jointly requested. The judge's order must be very clear in noting who requested the evaluation so that the charges can be billed to the appropriate party. This expenditure is described in detail in Judicial Branch Policy 850.
- Statutes creating the OPD also altered the costs related to representation of children in abuse and neglect cases. Specifically, the Judicial Branch will continue to be responsible for payments to CASA programs and guardian ad litem assigned to a child. Pursuant to Judicial Branch Policy 820, the use of CASAs is encouraged, if a CASA is available. *Please note that if an attorney is appointed to represent the child (in addition to a CASA or GAL), this appointment and the cost for the appointment falls to the OPD.*
- Questions or concerns about any indigent defense services should be directed to the regional contact in your area. The names and locations are available at [OPD regional contacts](#). The Office of the Court Administrator can also answer your question or direct you to the correct person.

Appointing a Public Defender

The OPD released the process for a judge to appoint the office to represent a client in a criminal or civil matter in which a person is entitled to representation. The process and the appointment form are available at:

[Office of the State Public Defender](#)

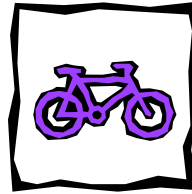
Park-2-Park Montana - Sept. 4-8, 2006

Park-2-Park Montana is a multi-day bicycle ride in support of CASA of Montana, a non-profit network of 16 local CASA programs. Court Appointed Special Advocates are volunteers that speak for nearly 1,000 children in Montana who are in the court abuse and neglect system through no fault of their own.

This Park-2- Park ride is planned for September 4-8, 2006. The route will take cyclists from St. Mary - on the eastern side of Glacier National Park - down along US 89 through Dupuyer, Choteau, Great Falls, White Sulphur Springs and Livingston and conclude at Gardiner near Yellowstone National Park.

The route is approximately 370 miles, with daily ride distances of 55-100 miles. The ride begins at the East Glacier KOA campground in St. Mary. Overnight stops are planned in

Dupuyer, Great Falls, White Sulphur Springs, Livingston and an optional stay at Chico Hot Springs north of Gardiner.



Since this is a fundraiser for CASA of Montana, riders are encouraged to raise support above the \$350 registration fee. Our goal for this year is to raise \$10,000 for CASA of Montana.

Contact Executive Director Ellen M. Bush for more information on the ride and if you can suggest a sponsor. See information and downloads on our website at www.casagal.org.

New Employees

Welcome to the following new employees:

Michelle Soto
11th District Prob. Ass't

Doug Zigler
11th District Prob. Ass't

Becky Bird
13th District Court Administrator

Jim Coleman
18th District Law Clerk

Ben Kane
18th District JPO

Ronald Buzzard
20th District Prob. Ass't

The Judicial Branch newsletter is distributed six times a year through e-mail. Printed copies are not produced. For more information or comments please contact Beth McLaughlin at 406-841-2966 or bmclaughlin@mt.gov